

DECISION

THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

28495

FILE: B-215386**DATE:** June 11, 1984**MATTER OF:** The Salvation Army**DIGEST:**

Late proposal sent by regular mail 3 days prior to the due date was properly rejected since proposal was not sent by registered or certified mail and the lateness was not due to government mishandling.

The Salvation Army, Little Rock, Arkansas protests the U.S. Department of Justice's rejection of its best and final proposal for halfway house services in Little Rock, Arkansas. The proposal was rejected by the contracting officer for late receipt.

On April 24, 1984, 3 days prior to the due date, the Salvation Army mailed its revised proposal by regular first class mail. The proposal was not received until May 7, 1984, 10 days later.

The protester states that it mailed its proposal "in plenty of time to arrive" at the proper office. However, it is the offeror's responsibility to assure timely receipt of its proposal, and the offeror must bear the responsibility for late receipt unless the specific conditions of the solicitation for the consideration of late proposals are met. The standard solicitation language permits the consideration of a late proposal only if it was sent by registered or certified mail 5 calendar days before the specified date, or late receipt was due solely to mishandling by the government after receipt at the government installation, or it is the only proposal received. See Federal Acquisition Regulation § 52-215-10, 48 Fed. Reg. 41102, 42504 (1983); Jets Services, Inc., B-212403.2, Sept. 12, 1983, 83-2 CPD ¶ 312. Since none of the exceptions applies, the Salvation Army's proposal was properly rejected.

The protest is summarily denied.

for *Milton J. Fowler*
Comptroller General
of the United States